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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,480	06/20/2006	Rolf Joss	030705-188	9189

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EXAMINER	
WILLIAMS, DON J	

ART UNIT	PAPER NUMBER
2878	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/564,480	JOSS ET AL.	
	Examiner	Art Unit	
	Don Williams	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-15 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 13 January 2006 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 1/13/06; 8/4/06.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-7, and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Beckstein (4,890,924).

As to claim 1, Beckstein discloses a part of the width of the fabric web (textile sheet, 10) being detected (detector array, 14, 15), wherein on the one hand an image (output signal) of the fabric web (textile sheet, 10) is produced and on the other hand the movement (arrow P) of the fabric web (textile sheet, 10) is detected (detector array, 14, 15) in the same part of the fabric web (textile sheet), (fig. 1, column 2, lines 66-68, column 3, lines 1-8).

As to claim 2, Beckstein discloses a sensor strip (detector array, 14, 15) is arranged inclined at an angle (ϒ) to the fabric web (10), and thus on the one hand an image of the fabric web (10) is produced and on the other hand a characteristic (garland distortion) connected with the movement of the fabric web (10) is detected (14, 15) in the area of this part of the fabric web (10), (fig. 1, column 2, lines 66-68, column 3, lines 1-8, fig. 2, column 4, lines 5-6).

As to claim 3, Beckstein discloses apart from a sensor strip (14, 15), with which

an image of the fabric web (10) is produced, at least one further sensor (14-1, 14-2, 14-n; 15-1, 15-2, 15-m) for detecting a characteristic (garland distortion) connected with the movement (arrow P) of the fabric web (10) is arranged in the area of this part of the fabric web (10), (fig. 1, column 2, lines 66-68, column 3, lines 1-8).

As to claim 4, Beckstein discloses seen across the width of the fabric web (10), several sensor strips (14, 15) are arranged each with a further sensor (14-1, 14-2, 14-n; 15-1, 15-2, 15-m), the sensor strips (14, 15) being arranged behind one another in the direction (arrow P) of the width of the fabric web (10) and forming a sensor line (CCD line), (fig. 2, column 3, lines 9-20, fig. 5, column 5, lines 25-28).

As to claim 6, Beckstein discloses a sensor strip (14) from a first sensor line (CCD line) and a sensor strip (15) from an adjacent second sensor line (CCD line) partly overlap seen in the direction of movement of the fabric web (10), (fig. 2, column 3, lines 9-20).

As to claim 7, Beckstein discloses a sensor strip (14, 15) from the adjacent sensor line (CCD line) is provided as a further sensor (14-1, 14-2, 14-n; 15-1, 15-2, 15-m), a characteristic (garland distortion) connected with the movement of the fabric web (10) being acquired from the signals (output signals) of the two overlapping sensor strips (14, 15), (fig. 1, column 2, lines 66-68, column 3, lines 1-8, fig. 6).

As to claim 10, Beckstein discloses the further sensor (14-1, 14-2, 14-n; 15-1, 15-2, 15-m) is an optical sensor (14, 15) with several scanning lines, (fig. 1, column 2, lines 66-68, column 3, lines 1-8, fig. 7, column 5, lines 25-34).

As to claim 11, Beckstein discloses the sensor strip (14, 15) is an optical sensor

(14, 15) with one scanning line (fig. 1, column 2, lines 66-68, column 3, lines 1-8, fig. 7, column 5, lines 25-33).

As to claim 12, Beckstein discloses the sensor strip (14,15) is a so-called contact image sensor (14, 15) used in a flatbed scanner, (fig. 2, column 3, lines 9-20, fig. 7, column 5, lines 25-33).

As to claim 13, Beckstein discloses a processor (CPU, 34), which is connected to an input/output device (I/O, 33), is assigned to the sensor strip (14, 15), (fig. 8, column 5, lines 60-65, column 6, lines 1-20).

As to claim 14, Beckstein discloses a common input/output device (I/O, 33) is assigned to several sensor strips (14, 15) and several further sensors (14-1, 14-2, 14-3; 15-1, 15-2, 15-m), (fig. 2, column 3, lines 9-20).

As to claim 15, Beckstein discloses a first signal (output line, 28) is generated from the image of the fabric web (10) and in the same part of the fabric web (10) the movement (arrow P) of the fabric web (10) is detected (14, 15) and a second signal (output line, 28') is generated, and the first (28) and the second signal (28') are offset in a suitable manner, in order to produce original geometrical ratios, such as graphic patterns (light and dark fields) and structures (garland distortions) of the fabric web (10), in the image, (fig. 1, column 2, lines 66-68, column 3, lines 1-8, fig. 2, column 3, lines 9-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstein in view of Saloniemi et al (US2003/0115947).

As to claim 5, Beckstein discloses two sensor lines (CCD line, 14, 15) are arranged relative to the fabric web (10), (fig. 1, column 2, lines 66-68, column 3, lines 1-8, column 5, lines 25-28). Beckstein fails to explicitly disclose parallel sensor lines arranged relative to the fabric web. Saloniemi et al disclose successive sensor strips (14_1-14_n) placed axially in/onto the roll (10) relative to the fabric (12) (fig. 3, paragraphs [0012], [0025]). Axially arranged sensor strips relative to the fabric is indicative to parallel arranged sensor as shown in fig. 3. It would have been obvious for one of ordinary skill in the art to modify Beckstein in view of Saloniemi et al to include axially or parallel arranged sensor lines relative to the fabric in order to detect the position of the fabric at all times.

As to claim 8, Beckstein discloses sensors (14-1, 14-2, 14-n; 15-1, 15-2, 15-m) are arranged in the area of overlap of the two sensor strips (14, 15), (fig. 1, column 2, lines 66-68, column 3, lines 1-8). Beckstein fails to disclose further sensor arranged next to a sensor strip. Saloniemi et al disclose a sensor line (14) comprising several

successive sensor strips (14_1, 14_2, 14_3) spaced at fixed intervals and a further sensor strip (14_n) arranged on the edge of the fabric (12), (fig. 3, paragraph [0025]). It would have been obvious for one of ordinary skill in the art to modify Beckstein in view of Saloniemi et al to include overlapped sensor strips arranged axially on the fabric and a further sensor strip located at the edge of the fabric in order to detect the exact location of the moving fabric at all times.

As to claim 9, Beckstein discloses each sensor line (CCD line, 14, 15), in the direction (arrow, P) of the fabric web (10), (fig. 1, column 2, lines 66-68, column 3, lines 1-8). Beckstein fails to explicitly disclose a further sensor arranged next to a sensor strip. Saloniemi et al disclose a sensor line (14) comprising several successive sensor strips (14_1, 14_2, 14_3) spaced at fixed intervals and a further sensor strip (14_n) arranged on the edge of the fabric (12), (fig. 3, paragraph [0025]). It would have been obvious for one of ordinary skill in the art to modify Beckstein in view of Saloniemi et al to include sensor strips spaced at fixed intervals and a further sensor strip located at the edge of the fabric in order to detect the exact location of the moving fabric at all times.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Don Williams whose telephone number is 571-272-8538. The examiner can normally be reached on 8:30a.m. to 5:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Georgia Y. Epps

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